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6 ||| Attorneys for Defendant,
MAERSK LINE, LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

STIPULATION

IT IS HEREBY STIPULATED by and between the parties to this action, through their respective counsel, that:

- (1) The defendants U.S. Ship Management, Inc., and Sealand Services, Inc., be dismissed, *without prejudice*, as *in personam* defendants;
- (2) The plaintiff, at his sole discretion, will be entitled to further amend the Complaint naming U.S. Ship Management, Inc., and Sealand Services, Inc., as individual defendants should he conclude in good faith that the evidence warrants his including those two defendants as parties to the action. Any such amendment shall be made, filed and served at least thirty-five (35) days

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prior to the close of discovery as set by the Court, may be personally served on defense counsel and will require a responsive pleading to be filed by said defendants within two weeks of said service.

- (3) The parties further stipulate that the incorrectly named defendant “Maersk Lines, Limited,” be corrected to read “Maersk Line, Limited.”
- (4) The parties further stipulate and agree that an amended Complaint need not be filed at this time and the parties agree, upon Order of the Court, that the Complaint be deemed amended to dismiss U.S. Ship Management, Inc., and Sealand Services, Inc., and to substitute the name “Maersk Line, Limited,” in place of the incorrectly named “Maersk Lines, Limited.” All further filings in this action shall be made with the caption being *Samuel Garrett v. Maersk Line, Limited and Does 1-10, in personam, and M/V Sea-Land Explorer and M/V Sea-Land Meteor their engines, tackle, apparel, furniture, etc., in rem.*

Dated: August 17, 2007

BANNING, MICKLOW & BULL
Attorneys for Plaintiff
SAMUEL GARRETT

By /S/
 Edward M. Bull, III

Dated: August 17, 2007

COX, WOOTTON, GRIFFIN,
HANSEN & POULOS, LLP
Attorneys for Defendant,
MAERSK LINE, LTD.

ORDER

PURSUANT TO STIPULATION IT IS SO ORDERED.

Dated: August ____ , 2007

By _____
The Honorable Edward M. Chen
U.S. Magistrate Judge